

Applicant : Lawrence W. Yonge III et al.
Serial No. : 10/695,371
Filed : October 21, 2003
Page : 2 of 2

Attorney's Docket No.: 04838-0075001

REMARKS

Independent claims 1, 5, and 57-64

The Examiner rejected claims 1, 5, and 57-64 (the pending independent claims) under the judicially created doctrine of obviousness-type double patenting over claim 1 of U.S. Patent 6,907,044. The Applicant is filing a terminal disclaimer in compliance with 37 CFR 1.321 to overcome the rejection over commonly owned U.S. Patent 6,907,044.

Dependent claims 2-4, 6-14, 17, 19-26, and 28-56

All pending claims 1-14, 17, 19-26, and 28-64 were indicated as being rejected, however no grounds of rejection were given for the dependent claims 2-4, 6-14, 17, 19-26, and 28-56. Applicant assumes that this was an error and the dependent claims were intended to be objected to as dependent upon a rejected independent claim.

Since the terminal disclaimer overcomes the rejection of the independent claims and no other grounds of rejection have been given, Applicant submits that the application should now be in condition for allowance.

The required fee in the amount of \$140 for the Terminal Disclaimer is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account Authorization. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 04838-0075001.

Respectfully submitted,

Date: March 19, 2009

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